

# HOUSE BILL 1421

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By: **Delegates Smigiel, Bates, Dwyer, Frank, and Hough**

Introduced and read first time: February 29, 2012

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health – Youth Camps – Application Fees for Certification**

3 FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene from  
4 imposing a certain application fee for a youth camp certificate or letter of  
5 compliance that is greater than a certain fee imposed by the Secretary before  
6 the publication of certain fees in the Maryland Register on certain dates;  
7 prohibiting a certain regulation from taking effect until the General Assembly  
8 takes certain action; and generally relating to application fees for the  
9 certification of youth camps.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 14–403  
13 Annotated Code of Maryland  
14 (2009 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Health – General**

18 14–403.

19 (a) (1) In addition to the powers set forth elsewhere in this article and  
20 subject to the provisions of Title 10 of the State Government Article, on or before  
21 October 1, 1987, the Secretary shall adopt regulations for certifying youth camps and  
22 for issuing letters of compliance.

23 (2) (i) An applicant for a certificate shall submit an application to  
24 the Department on the form that the Secretary requires.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) An application for a certificate or for a letter of compliance  
2 shall include:

3 1. The name and permanent mailing address of the  
4 applicant;

5 2. The proposed location of the youth camp; and

6 3. Any other information and fee that the Department  
7 requires.

8 (iii) For a unit or agency subject to the provisions of this subtitle,  
9 the Secretary shall require the unit or agency to complete only one application for  
10 certification for all youth camps directed or operated by that unit or agency.

11 (3) (i) The Department shall be solely responsible for  
12 implementing and enforcing the provisions of this subtitle.

13 (ii) Except as provided in subparagraph (iii) of this paragraph,  
14 the Secretary may impose a fee for the purpose of inspecting, monitoring, and  
15 regulating youth camps in accordance with § 2-104 of this article.

16 (iii) A camp accredited or certified in accordance with the  
17 provisions of subsection (b)(9) of this section may not be charged a fee under the  
18 provisions of this article.

19 **(IV) 1. THE SECRETARY MAY NOT IMPOSE AN**  
20 **APPLICATION FEE FOR A CERTIFICATE OR A LETTER OF COMPLIANCE UNDER**  
21 **SUBPARAGRAPH (II) OF THIS PARAGRAPH THAT IS GREATER THAN THE**  
22 **APPLICATION FEE IMPOSED BY THE SECRETARY FOR A CERTIFICATE OR A**  
23 **LETTER OF COMPLIANCE BEFORE THE PUBLICATION IN THE MARYLAND**  
24 **REGISTER OF EMERGENCY REGULATIONS ON MAY 6, 2011, AND THE NOTICE OF**  
25 **FINAL ADOPTION OF PROPOSED REGULATIONS ON JUNE 17, 2011.**

26 **2. NOTWITHSTANDING ANY OTHER PROVISION OF**  
27 **LAW, A REGULATION THAT INCREASES AN APPLICATION FEE FOR A**  
28 **CERTIFICATE OR A LETTER OF COMPLIANCE MAY NOT TAKE EFFECT UNTIL THE**  
29 **GENERAL ASSEMBLY APPROVES THE INCREASE THROUGH LEGISLATION**  
30 **ENACTED INTO LAW.**

31 (4) (i) The operator of a youth camp directed or operated by a bona  
32 fide religious organization shall:

33 1. Submit an application for certification;

1                                   2.     Submit an application for a letter of compliance and  
2 have the youth camp inspected by the Department; or

3                                   3.     Submit an application for a letter of compliance and  
4 proof of an alternative form of accreditation acceptable to the Secretary under  
5 subsection (b)(9) of this section.

6                                   (ii)    When a youth camp is operating under subparagraph (i) of  
7 this paragraph, and an inspection reveals health or safety violations of the regulations  
8 adopted under this subtitle, the Secretary may issue an order to abate the violation or  
9 to cease operation.

10                   (b)    With due consideration for conditions existing in nature and for the  
11 importance of outdoor adventure experiences, the regulations shall include:

12                           (1)    Safety procedures for:

13                                   (i)    Aquatic programs;

14                                   (ii)   Horseback riding;

15                                   (iii)  Firearms control;

16                                   (iv)   Riflery;

17                                   (v)    Archery;

18                                   (vi)   Adventure camps;

19                                   (vii)  Artistic gymnastics;

20                                   (viii) Hang gliding;

21                                   (ix)   Road cycling;

22                                   (x)    Skiing;

23                                   (xi)   Rock climbing;

24                                   (xii)  Spelunking;

25                                   (xiii) Motorized vehicle activities;

26                                   (xiv)  Rappelling; or

27                                   (xv)   High ropes;

1           (2)    Except for outdoor cookouts, sanitation regulations pertaining to  
2 the facilities and personnel for the storage, preparation, and serving of food products;

3           (3)    Personal health, first aid, and medical services, health supervision,  
4 and the maintenance of health records for campers;

5           (4)    Water supplies, sewage disposal systems, and refuse collection and  
6 disposal procedures;

7           (5)    Fire and safety standards relating to the buildings and the  
8 occupants of buildings;

9           (6)    Systems for the routine reporting of fatalities and serious illnesses  
10 or accidents;

11          (7)    Any personnel screening procedures that are required for operators  
12 and employees of group day care centers;

13          (8)    Procedures for conducting inspection, monitoring compliance, and  
14 verifying information;

15          (9)    Alternate accreditation which has been approved by the Secretary;  
16 and

17          (10)   Minimum standards for the supervision of campers during routine  
18 activities.

19          (c)    The Secretary may not adopt regulations that set ratios for camper to  
20 medical staff personnel except for:

21               (1)    Camp health supervisors at a camp where 50% or more of the  
22 campers have identified medical problems;

23               (2)    Personnel required to meet emergency safety standards, for  
24 example the number of persons that require certification in cardiopulmonary  
25 resuscitation (CPR) and first aid; and

26               (3)    Camp health supervisors, or their designees, trained to administer  
27 medicine to campers.

28          (d)    The Secretary shall cooperate with other departments or agencies to  
29 facilitate the activities of the departments or agencies in carrying out responsibilities  
30 for enforcing the laws and regulations relating to youth camps.

31               SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2012.